



CRM-M-14119-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

276

CRM-M-14119-2025
Decided on :02.09.2025

Satwant Kaur alias Satwant Kaur Gill and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Deep Inder Singh Walia, Advocate for the petitioners.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. Anmol Puri, Advocate for respondent No.2.

SANJAY VASHISTH, J.

1. Instant petition has been filed under Section 528 of BNSS, seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 23.12.2024(P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station
49	11.04.2024	406, 420 IPC and Section 24 of Immigration Act	Phase-1, SAS Nagar Mohali

2. Taking note of the fact that two of the accused are not party to the present petition, on 03.07.2025, following order was passed:

“1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of



CRM-M-14119-2025

2

the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 23.12.2024 (Annexure P-2), effected between the parties.

DETAIL OF CRIMINAL CASE:

<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
49	11.04.2024	406, 420 of IPC, Section 24 of Immigration Act	Phase-1	SAS Nagar, Mohali

Further, details of petitioner(s)/accused and complainant/victim(s), as per memorandum of parties of present petition, is as under:-

<i>Sr. No.</i>	<i>Name(s)</i>	<i>Status in present petition viz. Petitioner/ accused OR Complainant/ victim – respondent No.</i>
1.	Satwant Kaur @ Satwant Kaur Gill, Tejinder Singh and Kulwinder Singh	Petitioners No.1 to 3.
2.	Satnam Singh	Respondent No.2 (Complainant/victim).

2. During the course of hearing, it is informed that the whereabouts of two other accused, namely Haramrit Singh Gill s/o Satwant Kaur @ Satwant Kaur Gill (petitioner No.1 herein) and Amordeep Kaur Gill w/o Haramrit Singh Gill, are not traceable, and therefore, they have not filed the instant quashing petition based on the compromise on their behalf.

It is further submitted that the dispute regarding sending the son of the complainant – respondent No.2 abroad for study purposes has already been resolved, as Gurlal Singh s/o Satnam Singh (respondent No.2) is now settled in Canada.

It is also submitted that respondent No.2 is ready to make a statement, before the learned Trial Court/Illaq Magistrate to the effect that he would not raise any claim in future against the petitioners or the other two accused, namely Haramrit Singh Gill and Amordeep Kaur Gill.



Respondent No.2 would also make it clear that statement that now proposed to be given by him would be sufficient for quashing of the proceedings on the basis of compromise, even qua the other accused – Haramrit Singh Gill and Amordeep Kaur Gill, in future. No further claim would be raised by respondent No.2 – complainant, in respect of his son Gurlal Singh, who is now well settled abroad.

Accordingly, the statement to be given before the learned Trial Court/Illaqa Magistrate would be sufficient to consider the settlement of the entire dispute, in all respects, for all times to come, with respect to the accused persons.

- 4. Notice of motion.*
- 5. On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent No.1-State.*
- 6. Mr. Anmol Puri, Advocate appears on behalf of respondent No.2 and admits execution of the compromise (Annexure P-2).*
- 7. At this stage, it is also informed that petitioner No.1 – Satwant Kaur @ Satwant Kaur Gill, is presently residing abroad (Canada), and therefore, she be granted permission to record her statement qua the compromise either by personally appearing before the learned Trial Court/Illaqa Magistrate or through video conferencing.*
- 8. The affected parties are directed to appear before the learned Trial Court/Illaqa Magistrate, on or before 30.07.2025, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-*

Sr. No.	Information required
I.	Total number of persons found involved as accused in the dispute/FIR
II.	Number of complainant/victim(s)



CRM-M-14119-2025

4

III.	<i>Whether all the accused and complainant / victims are party to compromise & signed the same</i>
IV.	<i>In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR</i>
	<i>His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person</i>
V.	<i>Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication</i>
VI.	<i>Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence</i>
VII.	<i>Any other aspect relevant to the present case.</i>

9. So far as, the question of recording of statement of petitioner No.1, is concerned, she is directed to get her statement recorded qua the factum of compromise in the following manner :-

- i. Petitioner's counsel shall move an application before the trial Court/Illaq Magistrate concerned for recording statement of the petitioner qua the factum of compromise through Video Conferencing. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise through Video Conferencing.
- ii. At the time of recording of the statements by way of video conferencing, the petitioner shall be duly identified by her respective counsel, subject to the satisfaction of the Presiding Officer.

10. To come up on **02.09.2025**, awaiting report.

11. Reply by the respondent-State, if any, be filed on or before the next date of hearing."

3. Vide orders dated 03.07.2025, the affected parties were directed to appear before the learned Trial Court/Illaq Magistrate, for

**CRM-M-14119-2025**

5

getting their respective statements recorded with regard to the compromise.

4. Report has been received from the learned Chief Judicial Magistrate-cum-Additional Civil Judge (Senior Division), SAS Nagar Mohali, along with the statements of all parties concerned to the petition, wherein the fact of compromise between the parties has been verified and confirmed. According to the report(s), a compromise has indeed been reached voluntarily and without any pressure or coercion. The private respondents have also stated that they have no objection to the quashing of the FIR against the accused-petitioners.

Regarding accused who are not party to the present petition, pursuant to a suggestion recorded by this Court in the previous order, complainant, Satnam Singh, has recorded his statement on 24.07.2025 before the Court of the Chief Judicial Magistrate, SAS Nagar. For reference, the statement is reproduced below:

“ Statement of complainant Satnam Singh son of Mikha Singh resident of Village Alampur, Karyal, Amritsar, Punjab, 143102. On SA

I have produced Aadhar Card, and copy of same is Ex. C1 Stated that FIR No. 49 dated 11.04.2024, under Sections 406, 420 IPC and Section 24 of Immigration Act, PS- Phase-I, S.A.S Nagar, Mohali has been registered on my complaint against accused Satwant Kaur @ Satwant Kaur Gill daughter of Amar Singh resident of House No. 199, Phase 6, SAS Nagar, Punjab, Tejinder Singh son of Jasvir Singh aged about 37 years resident of Ghagar Sarai, Shambhu, Patiala, Punjab 140417, Kulwinder Singh son of Amarjeet Singh aged about 38 years resident of House No. 501, village Maloya, Chandigarh, Haramrit Singh Gill son of Karam Singh and Amordeep Kaur Gill wife of



CRM-M-14119-2025

6

Haramrit Singh. I am the only complainant/victim in the present case. As per the compromise, Satwant Kaur has paid me Rs: 8,50,000/-. Now nothing is due against the accused persons. There is no other accused in present case. In the present FIR. compromise has been effected with my free consent and without any pressure with above named accused persons. I have no objection if above mentioned FIR against accused Satwant Kaur @ Satwant Kaur Gill, Tejinder Singh, Kulwinder Singh, Haramrit Singh and Amordeep Kaur is quashed by Hon'ble High Court. After quashing of the said FIR, neither I nor my son or any other family member would raise any claim in future against any of the accused with respect to the instant dispute as my son has reached Canada. I have also produced the copy of the compromise deed and the same is Mark C1.

RO & AC

*(Megha Dhaliwal)
CJM/SAS Nagar
Dated:24.07.2025”*

5. The trial Court has annexed the statements of the parties in original, along with its report. The relevant part of the said report is reproduced herebelow:

Sr. No.	Description	
1.	Total number of persons found involved as accused in the dispute/FIR	Five accused
2.	Number of complainant/victim(s)	One victim /complainant
3.	Whether all the accused and complainant / victims are party to compromise & signed the same	As per compromise deed, same has been entered into between all five accused and complainant but the same has not been signed by two accused namely, Haramrit Gill and Amordeep Kaur Gill
4.	In case, any affected person(accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereas;	Two accused namely Harmarit Singh Gill and Amordeep Kaur Gill have not been arrayed as party



	Or His/her statement is till to be recorded, in compliance to the direction of this Court, details of such person	
5.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication	No
6.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence	Yes
7.	Any other aspect relevant to the present case.	Nothing worth noticing reported

6. Learned counsel for the petitioners submits that the matter has been amicably compromised between the parties, including the complainant and the accused who are not parties to the present petition, as confirmed by the statements recorded before the learned Additional Chief Judicial Magistrate-cum-Additional Civil Judge, SAS Nagar Mohali.

7. Learned State Counsel, as well as counsel for the complainant, also affirm the said factum. They submit that compromise has been arrived at voluntarily and without any coercion or undue influence. Both parties are satisfied with the resolution, and there is no objection from any quarter regarding the quashing of the FIR against the accused-petitioners.

**CRM-M-14119-2025**

8

8. In view of the report of the learned learned Additional Chief Judicial Magistrate, Gurugram, and the principles laid down by Hon'ble the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

9. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below

10. Petition stands disposed of.

02.09.2025
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**